

USEPA FIFRA Section 18 Re-certification

The New York State Department of Environmental Conservation, as State Lead Agency (SLA), requests a Specific Emergency Exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended and 40 CFR 166.20(b)(5), for use of:

Active Ingredient: bifenthrin

Product Name: Brigade WSB, Bifenture EC,
Bifenture 10DF

EPA Reg. No.: 279-3108, 70506-57, 70506-227

Previous Application Date: June 10, 2016

Use Sites: Apples

Previous File Nos.: 16-NY-01, 16-NY-02, 16-NY-03

To Control: Brown Marmorated Stink Bug

This is the 5th continuous year of request

Must be checked:

- ☒ The emergency condition(s) described in the previously submitted emergency exemption application continues to exist.

Select one:

- ☒ All information submitted in the previously submitted emergency exemption application is still accurate.
- ☐ Except as expressly identified in the attached document, all information submitted in the previously submitted emergency exemption application is still accurate.

Select one:

- ☐ The proposed conditions of use are identical to the conditions of use EPA approved previously.
- ☒ The proposed conditions of use are identical to the conditions of use EPA approved previously except as expressly identified below:

We propose adding Monroe, Orleans, and Wayne Counties in western New York to the Section 18 in 2017. In 2016, BMSB damage increased in these three counties. Growers reported feeding damage to 20-50% of their crop. We estimate 1000 acres in Monroe, Orleans, and Wayne Counties would be treated under the Section 18.

Select one:

- ☒ There were no additional conditions or limitations on the eligibility for re-certification identified in the previous notice of approval.
- ☐ Any conditions or limitations on the eligibility for re-certification identified in the previous notice of approval of the exemption have been satisfied (see attached).

Select one:

- ☒ The applicant has not newly become aware of any alternative chemical or non-chemical practice that may offer a meaningful level of pest control.
- ☐ If any such new alternative controls are available, documentation is provided that demonstrates that each such known chemical or practice does not provide adequate control or is not economically or environmentally feasible.

Select one:

- ☒ A final or interim report was submitted.
- ☐ A final or interim report is attached.

Arthur M. Agnello

Name (print)

Signature